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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MARCI ATKINS,

Plaintiff,

v.

IDEARC MEDIA CORP., a Delaware
corporation, f/k/a VERIZON
DIRECTORIES CORP.,

Defendant.

Case No.

CV '07 - 1412 - BR

COMPLAINT AND DEMAND
FOR JURY TRIAL

(Sex Discrimination and Retaliation)

Plaintiff alleges:

I.

JURISDICTION AND VENUE

1. Plaintiff brings this action for violation of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et. seq.*, for sex discrimination and retaliation. Plaintiff also brings a state claim over which this court has supplemental jurisdiction for sex discrimination and retaliation.

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2. Acts complained of herein were committed in the District of Oregon.

II.

THE PARTIES

3. Plaintiff is a female resident and citizen of the state of Oregon.

4. Defendant is a Delaware corporation doing business in Oregon. At all material times Defendant acted through its agents and employees acting within the course and scope of their agency and/or employment for Defendant.

III.

ADMINISTRATIVE EXHAUSTION

5. This Complaint was filed prior to 90 days from date of issuance of a Right-to-Sue letter by the Oregon Bureau of Labor and Industries and the Equal Employment Opportunity Commission.

IV.

STATEMENT OF CLAIMS

CLAIM ONE

(Sex Discrimination - 42 U.S.C. § 2000e, *et. seq.*)

6. Plaintiff realleges paragraphs 1 through 5.

7. Plaintiff was employed by Defendant commencing May 5, 2005 as an outside sales representative.

8. During her employment Defendant subjected Plaintiff to a hostile gender-based working environment in one or more of the following particulars:

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- (a) it subjected female employees to differential treatment from males in that it would berate, intimidate, humiliate and/or demean them privately and in front of coworkers;
- (b) it would subject females to harsh criticism not given to males under similar circumstances;
- (c) it would make degrading statements to Plaintiff, including that she was “stupid” and/or “worthless;” and/or,
- (d) it would give more favorable treatment to male employees than females in providing leads and other business opportunities.

9. During her employment Defendant subjected Plaintiff to a hostile sexual working environment in one or more of the following particulars:

- (a) it knowingly subjected her to a work environment that was laced with sexual statements and innuendoes about her and other female employees in her work unit;
- (b) her supervisor made sexual advances to her on more than one occasion, including asking her to go to a motel;
- (c) her supervisor permitted a male coworker to sexually harass Plaintiff and other female employees, which conduct included, but is not limited to, one or more of the following particulars:
 - (1) bragging about his sexual exploits;
 - (2) making comments about female body parts, and how he liked “big tits;”

- (3) making sexually suggestive remarks to female employees;
- (4) looking down Plaintiff's blouse, or brushing pretended foreign material off her chest;
- (5) telling Plaintiff and other female workers that they were "sexy;"
- (6) staring Plaintiff and other female employees up and down in a sexually suggestive manner;
- (7) making unwanted physical contact with Plaintiff by touching her or brushing up against her from behind;
- (8) making gross sexual comments about how he would like to "go down" on a female employee, or about how a female employee would do well if she gave her supervisor oral sex;
- (9) making the comment that "women all look the same if they are naked and turned upside down."

10. As a result of said acts Plaintiff has suffered emotional distress all to her non-economic damage in an amount to be proven at trial, which sum is alleged to be \$300,000.

11. As a further result of said acts Plaintiff has suffered economic loss in an amount to be set by a jury, which sum is alleged to be \$100,000.

12. Defendant's acts were wilful and intentional and Defendant should be assessed punitive damages in an amount to be set by a jury, which sum is alleged to be the maximum allowable by law for this claim, or \$300,000.

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13. Plaintiff is entitled to reasonable attorneys' and expert witness fees pursuant to 42 U.S.C. § 2000e, *et. seq.*

CLAIM TWO

(Retaliation - 42 U.S.C. § 2000e, *et. seq.*)

14. Plaintiff realleges paragraphs 1 through 13.

15. During her employment Plaintiff cooperated with an investigation of Defendant's sex discrimination and sexual harassment.

16. Defendant retaliated against Plaintiff for providing information about Defendant's discriminatory practices, and/or because she rejected sexual advances, including but not limited to, in one or more of the following particulars:

- (a) by maintaining a hostile work environment in the mean and threatening treatment she was given;
- (b) by requiring her to produce the same sales volume even while she was restricted to part-time work in the aftermath of a work-related injury;
- (c) by giving her leads and accounts to others; and/or,
- (d) by sabotaging her work by intercepting and withholding incoming and outgoing mail, faxes and/or sales paperwork.

CLAIM THREE

(Sex Discrimination - State)

17. Plaintiff realleges paragraphs 1 through 9, 11, 15 and 16.

18. Plaintiff is entitled to reasonable attorneys' and expert witness fees pursuant to ORS 659A.885 and ORS 20.107.

V.

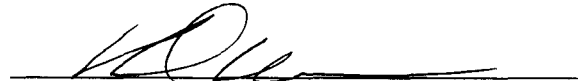
DEMAND FOR JURY TRIAL

19. Plaintiff demands a jury trial.

WHEREFORE, Plaintiff prays for judgment as alleged in the claims stated above.

DATED this 21st day of September, 2007.

BUSSE & HUNT



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